

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Isis García-Martínez
Council Vice President



Council Members
Katharine Cue-Fuente
Jose F. Caragol
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Summary Agenda/Minutes December 11, 2018 7:00 P.M.

Call to Order

REPORT: Council President Casáls-Muñoz called the meeting to order at 7:05 p.m.

Roll Call

REPORT: City Clerk, Marbelys Fatjo, called the roll with the following Council Members present:

- Council President Vivian Casáls-Muñoz
- Council Vice President Isis García-Martínez
- Councilwoman Cue-Fuente
- Councilman Paul Hernandez
- Councilwoman Lourdes Lozano
- Councilman Carl Zogby
- Councilman Jose Caragol
- Also present was:
 - Mayor Carlos Hernandez
 - Lorena Bravo, City Attorney

Invocation given by Marbelys Fatjo, City Clerk

REPORT: Marbelys Fatjo, City Clerk, led the invocation.

Pledge of Allegiance to be led by Councilman Carl Zogby

REPORT: Councilman Carl Zogby led the Pledge of Allegiance.

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

REPORT: The meeting guidelines were read into the record by the City Clerk in English, and by Brigitte Leal, Administrative Aide, Office of the City Clerk, in Spanish.

1. PRESENTATIONS

- Promotional Ceremony for 7 Sergeants, 1 Commander and 1 Major. (HIALEAH POLICE DEPT.) **PRESENTED**

REPORT: Lieutenant Eddie Rodriguez, Hialeah Police Department, presented new members and recognition of promotions.

REPORT: Chief Sergio Velasquez, Hialeah Police Department, recognized former retirees of the Hialeah Police Department, Chief R. Flower, Captain M. Escarra and Lieutenant R. Gracia that were present.

- Swearing-in Ceremony for 13 police officers. (HIALEAH POLICE DEPT.) **PRESENTED**
- Mayor Hernandez presents a proclamation to Madeline Pumariega, Chancellor of the 28 colleges that comprise the Florida College System, proclaiming December 11, 2018 as Madeline Pumariega Day in the City of Hialeah. (MAYOR HERNANDEZ) **PRESENTED**

2. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

- Consent Items DD, EE, FF, GG and 6A have been added to today's agenda and placed on the dais for the City Council's review.

- The expense amounts for Consent Items N and O have been corrected.

3. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

REPORT: Motion to Approve the Consent Agenda, made by Councilwoman Cue-Fuente, and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0.

- A. Request permission to approve the minutes of the Council Meeting held on November 27, 2018. (OFFICE OF THE CITY CLERK)
APPROVED 7-0
- B. Request permission to utilize Contract No. 43211500-WSCA-15-ACS - *Computer Equipment, Peripherals & Services*, effective through March 31, 2020, between the State of Florida, Department of Management Services and Dell Marketing LP, and issue a purchase order to Dell Marketing L.P., for the purchase of two (2) new servers for City-wide core functions within the Information Technology Department, in a total cumulative amount not to exceed \$19,143.92. (INFORMATION TECHNOLOGY DEPT.)
APPROVED 7-0
- C. Request permission to issue a purchase order to The Avanti Company, sole source vendor, to conduct monthly sewer flow monitoring to verify and confirm monthly sewer flows charged to the department by the Miami-Dade Water and Sewer Department after the County replaced sewer meters connecting the City system to the County system, in a total cumulative amount not to exceed \$37,483.43. (DEPT. OF PUBLIC WORKS)
APPROVED 7-0
- D. Request permission to issue a purchase order to Accela, Inc., formerly known as Springbrook, LLC, current provider of the Department of Public Works' billing system, for the IVR Service, which will enable customers to pay their utilities over the phone, in a total cumulative amount not to exceed \$19,501. (DEPT. OF PUBLIC WORKS)
APPROVED 7-0
- E. Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor is familiar with the Department of Public Works' requirements, and issue a purchase order to Olmedo Printing Corporation, for printing services to include the printing of utility bills, envelopes and the annual Water Quality Report, in a total cumulative amount not to exceed \$72,000. (DEPT. OF PUBLIC WORKS)
APPROVED 7-0
- F. Request permission to waive competitive bidding, since it is advantageous to the City in that the City's Department of Public Works has used the services of this vendor for several

years and the vendor is familiar with the department's control system, and issue a purchase order to Curry Controls Company, for repairs and/or replacement of Pump Station control panels, programming, panel installations, emergency call-out support and Scada support, in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- G. Request permission to issue a purchase order to Miami Dade Water and Sewer Department, for water quality testing, in a total cumulative amount not to exceed \$50,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- H. Request permission to issue a purchase order to Hazen and Sawyer, P.C., d/b/a Hazen and Sawyer, a vendor recommended by the City's Selection Committee in 2010 for engineering services, for field inspections services of the sanitary sewage pump station rehabilitation program for the Flagler County Line Corporate-Park Building 5, in a total cumulative amount not to exceed \$38,999. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- I. Request permission to issue a purchase order to Hazen and Sawyer, P.C. d/b/a Hazen and Sawyer, a vendor recommended by the City's Selection Committee in 2010 for engineering services, for engineering services for Pump Station 12 and Force Main, in the amount of \$48,550, and further request permission to ratify previous payments made by the department to this vendor for the same services, in the amount of \$14,050, for a total cumulative expense amount not to exceed \$62,600. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- J. Request permission approve the Department of Public Works' recommendation to approve Change Order # 1, a time-only change order, to extend the final completion date of the four (4) Graham Well Buildings from October 18, 2018 to February 18, 2019 due to unforeseen circumstances. On July 12, 2016 the City Council approved the award of the design and construction of the four (4) Graham Well Buildings to AECOM Inc., in a total cumulative amount not to exceed \$2,400,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- K. Request permission to utilize the agreement entered between the City of Coconut Creek and South Florida Utilities, Inc., pursuant to Bid No. 01-17-18 - *Maintenance Access Structure and Wet Well Rehabilitation*, effective through March 22, 2021, and issue a purchase order to South Florida Utilities Inc., for emergency repairs and reconstruction of pump stations, wet wells, discharge pipping and manholes, in a total cumulative amount not to exceed \$100,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- L. Request permission to utilize State of Florida Contract No. 31160000-18-ACS - *Industrial and Commercial Supplies and Equipment*, effective through September 30, 2020, and issue a purchase order to W.W. Grainger Inc., for industrial supplies and materials, in a total cumulative amount not to exceed \$40,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- M. Request permission to issue a purchase order to Hazen and Sawyer, P.C. d/b/a Hazen and Sawyer, a vendor recommended by the City's Selection Committee in 2010 for engineering services, for an update to the City's sewer system Hydraulic Model due on April 1, 2019, in a total cumulative amount not to exceed \$122,000. On June 8, 2010, the City Council approved the recommendations of the Selection Committee for the selection of General Consultants for engineering services in response to Request for Qualifications No. 2009/10-9500-00-07 – General Consultants for Engineering and Architectural Services, which included this vendor, for a period of three (3) years, with the option to extend annually for a total of no more than five (5) years. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- N. Request permission to issue a purchase order to Parsons Water & Infrastructure Inc., for engineering and construction management activities including the drafting of the Request for Qualifications and Request for Proposals for the selection of a Design Build Operate for the design and construction of a 10.0 MGD Reverse Osmosis Water Treatment Plant (Task C), in the amount of \$358,501.79 to cover the remainder balance of the scope of services for Task C, and further request permission to ratify previous payments made to this vendor by the Department of Public Works in the amount of \$535,998.21, for a total cumulative expense amount not to exceed \$894,500. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- O. Request approval to retain the professional services of Gabriel, Roeder, Smith & Company, as actuary consultant to the City for the Elected Officers Retirement System, commencing on October 1, 2018 and ending on September 30, 2019, in a total cumulative amount not to exceed \$16,352. (OFFICE OF MANAGEMENT AND BUDGET)

APPROVED 7-0

- P. Request permission to make required payments to various vendors for services and utilities, including utilities of telephones, electric, water, gas, as well as the purchase of water, sewage disposal, solid waste dumping fees, freight and postage, and insurances, in a total cumulative amount not to exceed \$77,147,880. (OFFICE OF MANAGEMENT & BUDGET)

APPROVED 7-0

- Q. Request permission to utilize Miami Dade County Contract No. 7040 - effective through February 12, 2019, and issue a purchase order to McCourt Construction Inc., in order to resurface fourteen (14) basketball courts and six (6) tennis courts at Veterans Park, Babcock Park, Walker Park, McDonald Park, and Sparks Park, in a total cumulative amount not to exceed \$113,200. (DEPT. PARKS AND RECREATION)

APPROVED 7-0

- R. Request permission to issue a purchase order to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to La Estrella De Oro Joyeria Inc.,

lowest quoted vendor, for the purchase of one (1) mutual TL30 safe and six (6) AMSEC TL30 safes for safekeeping of Colt Rifles, in a total cumulative amount not to exceed \$25,200. (POLICE DEPT.)

APPROVED 7-0

- S. Report of Scrivener's Error – Item HH of the City Council Meeting of November 13, 2018 was approved with the incorrect vendor name and incorrect expense amount for the twenty (20) Chevrolet Silverado to be purchased. The item is being amended to reflect the correct vendor, *Auto Nation CDJR Pembroke Pines* and the expense amount for twenty (20) Chevrolet Silverado as \$489,920. (POLICE DEPT.)

APPROVED 7-0

- T. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of North Miami as a participating municipal police department to provide for requesting and rendering assistance for routine and intensive law enforcement situations from the effective date of the agreement through January 30, 2024, a copy of which is attached hereto and made a part hereof as Exhibit "1" and providing for an effective date. (POLICE DEPT.)

APPROVED 7-0

RESOLUTION NO. 2018-127

- U. Proposed resolution authorizing the Mayor and the City Clerk, on behalf of the City, to enter into a Mutual Aid Agreement with the City of Miami Beach as a participating municipal police department to provide for the requesting and rendering of assistance for routine and intensive law enforcement situations from the effective date of the agreement through December 31, 2024, a copy of which is attached hereto and made a part hereof as Exhibit "1" and providing for an effective date. (POLICE DEPT.)

APPROVED 7-0

RESOLUTION NO. 2018-128

- V. Request permission to reject Hialeah Request for Qualifications No. 2017/18-3130-36-009 – *Goodlet Park Remediation Services*, due to the City entering in an agreement with Florida National University that includes multiple renovations to the park. (CONSTRUCTION AND MAINTENANCE DEPT.)

APPROVED 7-0

- W. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0, and issue a purchase order to AN Motors of Pembroke, LLC d/b/a Autonation Chevrolet Pembroke Pines, to purchase two (2) 2019 Chevrolet Traverse LS, Mid-Size-4 Door Utility Vehicles - 4X2, Specification No. 29, in a total cumulative amount not to exceed \$50,462. (DEPT. OF PARKS AND RECREATION)

APPROVED 7-0

- X. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Cascade Engineering, Inc., vendor providing the lowest quotation, for the purchase of two thousand new 96-gallon containers, in a total cumulative amount not to exceed \$102,000. (DEPT. OF PUBLIC WORKS)

APPROVED 7-0

- Y. Proposed resolution authorizing the Mayor or his designee to obtain property insurance coverage with affiliated FM (Factory Mutual) through the City's current property

insurance agent Keen, Battle, Mead & Company from December 27, 2018 to December 27, 2019 in an estimated amount not to exceed \$399,023.23 for the Hialeah Reverse Osmosis Water Treatment Plant of which Miami-Dade County will reimburse the City for its 50% share and placing business interruption/loss of income coverage up to \$25,000 of which Miami-Dade County will reimburse the City for its 50% share. (RISK MANAGEMENT)

APPROVED 7-0

RESOLUTION NO. 2018-129

- Z.** Proposed resolution authorizing the placement of fiduciary liability insurance through the services of Arthur J. Gallagher Risk Management Services, Inc., an Illinois Corporation, insuring the City of Hialeah 457 Plan, City of Hialeah 401A Plan, City of Hialeah Elected Officers' Retirement Trust, City of Hialeah Health Maintenance Organization (HMO) Plan, City of Hialeah Self-Funded Group Health Program, and City of Hialeah Medicare Advantage PPO Plans for a premium of \$30,887.00 commencing on December 15, 2018 and expiring on March 10, 2020 with no self-insured retention and limit of \$5,000,000.00 (RISK MANAGEMENT)

APPROVED 7-0

RESOLUTION NO. 2018-130

- AA.** Proposed resolution authorizing the Mayor or designee to renew health insurance coverage with HCC Life Insurance Company, an Indiana corporation, for calendar year 2019 at a rate of \$4.93 for each employee/retiree for each month for aggregate stop loss coverage in order that the insurance carrier will pay the City up to \$1,000,000.00 if paid claims exceed the predetermined aggregate stop loss attachment point and renew health insurance coverage for calendar year 2019 at a rate of \$9.91 for single coverage and \$36.44 for family coverage for each employee/retiree for each month for specific excess coverage with no lifetime maximum, for a total annual amount not to exceed \$300,000.00 for calendar year 2019. (RISK MANAGEMENT)

APPROVED 7-0

RESOLUTION NO. 2018-131

- BB.** Proposed resolution approving and ratifying the City's participation in the Florida Municipal Investment Trust as a member from December 1, 2015 to November 30, 2018, and approving and ratifying any and all actions taken and investment decisions made in furtherance of its participation; authorizing the Mayor and the City Clerk, on behalf of the City, to renew the City's participation in the Florida Municipal Investment Trust commencing on December 1, 2018 and until terminated by the City, and to execute any and all agreements or other documents required to invest and reinvest surplus City funds in shares of beneficial interest in the trust's investment portfolios; authorizing the Mayor and/or City Treasurer to purchase and redeem shares from time to time; and further providing for findings on the nature and purpose of the investment program. (OFFICE OF MANAGEMENT AND OFFICE)

APPROVED 7-0

RESOLUTION NO. 2018-132

- CC.** Proposed resolution awarding to Nationwide Retirement Solutions, Inc., a five year agreement in substantial form attached as Exhibit "1", for Deferred Compensation Plan Provider Record Keeping Services for 401 Defined Contribution and 457 Deferred Compensation Plans for its employees; with options to renew the agreement in the city's discretion for additional terms of five years at the end of each term; subject to the city's option to terminate the agreement yearly on or before January 1 of each year; and

authorizing the Mayor and the City Clerk, on behalf of the City to execute such agreement in furtherance thereof. (OFFICE OF MANAGEMENT AND BUDGET)

APPROVED 7-0

RESOLUTION NO. 2018-133

- DD.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the first amendment to the professional services agreement between Harris Corporation and the City of Hialeah, to include the acquisition, installation and implementation of all services, software, equipment and hardware necessary to modify the P25 radio system configuration from a standalone system to a multi-region system that connects the City of Hialeah system with the City of Miami and City of Miami Beach radio systems, and to remediate grounding deficiencies found at three city sites, in a total amount not to exceed \$294,336.25, in substantial conformity with the first amendment attached hereto and incorporated herein as Exhibit "1"; and providing for an effective date. (FIRE DEPT.)

APPROVED 7-0

RESOLUTION NO. 2018-134

- EE.** Request permission to issue a purchase order to Biscayne Engineering Company, Inc., for surveying and mapping services to re-plot the City-owned property known as Palm Centre located at 275 East 3 Street and 150 East 1 Avenue, both operated by the Hialeah Housing Authority, in a total cumulative amount not to exceed \$29,805. (LAW DEPT.)

APPROVED 7-0

- FF.** Request permission to issue a purchase order to Gabriel, Roeder, Smith & Company., actuary firm representing the City in connection with pension reform initiative at negotiations with employee unions, in a total amount not to exceed \$20,921. (LAW DEPT.)

APPROVED 7-0

- GG.** Request permission to issue a purchase order to Bryant Miller Olive, P.A., for legal services provided by this vendor in representing the City of Hialeah in connection with contract negotiations with all three employee unions, in a total amount of \$40,400.97, further request permission to issue a second purchase order to Bryant Miller Olive, P.A., to assist the City through the impasse process against IAFF, in a total amount of \$20,000, for a total cumulative expense amount not to exceed \$60,400.97. (LAW DEPT.)

APPROVED 7-0

4. ADMINISTRATIVE ITEMS

- 4A.** Second reading and public hearing of proposed ordinance rescinding Resolution No. 2013-16 (March 12, 2013) and amending Chapter 70, "Retirement and Pensions", Article VII entitled "Elected Officials" and more specifically §70-529 "Oversight Committee" in Division 1 entitled "Generally", to replace the Finance Director with the Director of the Office of Management and Budget; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0

ORDINANCE NO. 2018-139

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4A, made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4B. Second reading and public hearing of proposed ordinance amending Chapter 70, "Retirement and Pensions", Article IV entitled "Employees General Retirement System" and more specifically §70-135 in Division 2 entitled "Board of Trustees", to replace the City Treasurer with the Director of Retirement; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0

ORDINANCE NO. 2018-140

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4B, made by Councilman Caragol, and seconded by Councilman Zogby. Motion passed 7-0.

- 4C. Second reading and public hearing of proposed ordinance accepting the dedication of land by J.V.C. Management Corp., a Florida Corporation, for right-of-way purposes, as more particularly described in the Right-of-Way Deed, a copy of which is attached hereto and made a part hereof as "Exhibit 1"; accepting and approving the terms of an easement for the construction, maintenance and operation of a Stormwater Management System on property described in the easement agreement, a copy of which is attached hereto and made a part hereof as "Exhibit 2" granted by J.V.C. Management Corp., a Florida Corporation; repealing all ordinances or parts of ordinances in conflict herewith; providing for severability clause; and providing for an effective date. (STREETS)

APPROVED 7-0

ORDINANCE NO. 2018-141

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4C, made by Councilman Caragol, and seconded by Councilwoman Lozano. Motion passed 7-0.

- 4D. Second reading and public hearing of proposed ordinance accepting the dedication of 13,992 square feet or .321 acres in land, more or less, from Section 17, LLC, a Florida Limited Liability Company, for right-of-way purposes, as more particularly described in the Right-of-Way Deed, a copy of which is attached hereto and made a part hereof as "Exhibit 1"; repealing all ordinances or parts of ordinances in conflict herewith; providing for severability clause; and providing for an effective date. (STREETS)

APPROVED 7-0

ORDINANCE NO. 2018-142

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4D, made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4E. Second reading and public hearing of proposed ordinance approving the dedication of approximately 17,866 square feet or 0.41 acres of land, more or less, abutting NW 107 Avenue to Miami-Dade County for right-of-way purposes; approving the terms of the dedication in substantial conformity with the deeds attached hereto and made a part hereof as Exhibit 1 and Exhibit 2; authorizing the Mayor and the City Clerk, as attesting witness, to execute the right of way deeds on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for severability clause; and providing for an effective date. (STREETS)

APPROVED 7-0

ORDINANCE NO. 2018-143

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4E, made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4F. Second reading and public hearing of proposed ordinance amending Section 98-1607.2 Hialeah Heights CDH Commercial Development District of the Code of Ordinances of the City of Hialeah in Chapter 98 “Zoning”, Article V. entitled “Zoning District Regulations”, Division 29, Hialeah Heights, Hialeah Heights CDH Commercial Development District; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; and providing for an effective date. (ZONING)

APPROVED 7-0

ORDINANCE NO. 2018-144

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4F, made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4G. Second reading and public hearing of proposed ordinance creating Section 98-1607.3 RH-CD-Mixed Use Multiple Family District of the Code of Ordinances of the City of Hialeah, in Chapter 98 entitled “Zoning”, Article V. “Zoning District Regulations”, Division 29. Hialeah Heights, providing a purpose; site and development standards; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability; providing for inclusion in the code; and providing for an effective date. (ZONING)

APPROVED 7-0
ORDINANCE NO. 2018-145

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4G, made by Councilman Caragol, and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

- 4H. Second reading and public hearing of proposed ordinance approving the third renewal beginning June 20, 2018 through June 2023 of the ground lease for the 95 foot monopole communications tower that commenced on August 20, 2003, together with such rights and duties as more fully described in the ground lease consisting of approximately 400 square feet for a base annual rent of \$45,023.68 and annual increases of 4% each year, at Babcock Park, 651 East 4 Avenue, Hialeah, Florida; approving a First Amendment and Memorandum of First Amendment with T-Mobile South LLC, a Delaware Limited Liability Company, by and through CCTMO LLC, a Delaware Limited Liability Company, copies of which are attached hereto and made a part hereof respectively as Exhibits "1" and "2" to the original ground lease to add an additional 200 square feet to site a generator to power the T-Mobile communications antennas in the event of a power outage, for an additional monthly rent of \$300 at \$1.50 a square foot; allowing for antennae improvements and modifications; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0
ORDINANCE NO. 2018-146

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4H, made by Councilman Caragol, and seconded by Councilman Zogby. Motion passed 7-0.

- 4I. Second reading and public hearing of proposed ordinance approving the First Amendment and Memorandum of Agreement with CCTM2, LLC, a Delaware Limited Liability Company, copies of which are attached hereto and made a part hereof as Exhibits "1" and "2" to the original ground lease, that commenced on May 1, 2007 consisting of approximately 400 square feet for a base annual rent of \$59,861.90 and annual increase of 5% each year; to add an additional 240 square feet for an additional monthly rent of \$360 at \$1.50 a square foot to site a generator to power the antennas owned by T-Mobile in the event of a power outage located at O'Quinn Park, 6051 West 2 Avenue, Hialeah, Florida; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

APPROVED 7-0
ORDINANCE NO. 2018-147

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4I, made by Councilman Caragol, and seconded by Councilman Zogby. Motion passed 7-0.

- 4J.** Second reading and public hearing of proposed ordinance amending Section 98-1630.2 entitled Building Uses of the Code of Ordinances of the City of Hialeah in Chapter 98, “Zoning”, Article V. entitled “Zoning District Regulations”, Division 33, NBD Neighborhood Business District,; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; and providing for an effective date. (ZONING)

APPROVED 7-0
ORDINANCE NO. 2018-148

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4J, made by Councilwoman Cue-Fuente and seconded by Councilman Hernandez. Motion passed 7-0.

- 4K.** Second reading and public hearing of proposed ordinance granting a perpetual non-exclusive easement to Florida Power and Light for the construction, operation and maintenance of electric utility facilities in area approximately 215 square feet, more or less, serving Pump Station 106 located at 3474 West 10 Avenue; approving the terms of easement in substantial conformity with the form attached hereto and made a part hereof as Exhibit 1; and authorizing the Mayor and the City Clerk, as attesting witness, to execute the easement on behalf of the City; repealing all ordinances or parts of ordinances in conflict herewith; providing for a severability clause; and providing for an effective date. (DEPARTMENT OF PUBLIC WORKS)

APPROVED 7-0
ORDINANCE NO. 2018-149

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4K, made by Councilman Caragol and seconded by Councilman Zogby. Motion passed 7-0.

- 4L.** Second reading and public hearing of proposed ordinance providing for a Primary Election to be held on Tuesday, November 5, 2019 and a General Election to be held on Tuesday, November 19, 2019; providing for the Miami-Dade County Elections Department to conduct these elections and other matters relating thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF THE CITY CLERK)

APPROVED 7-0
ORDINANCE NO. 2018-150

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4L, made by Councilman Caragol and seconded by Councilman Zogby. Motion passed 7-0.

4M. Second reading and public hearing of proposed ordinance setting the election date for the General Election for the year 2019 for the date of Tuesday, November 19, 2019 for the Offices of the City Council whose terms have expired, pursuant to municipal powers vested by state law according to Florida Statutes §§ 166.021(4) and 100.3605(2) in order to conduct elections on the same date as other municipalities; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF THE CITY CLERK)

APPROVED 7-0
ORDINANCE NO. 2018-151

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Motion to Approve Item 4M, made by Councilman Caragol and seconded by Councilman Zogby. Motion passed 7-0.

4N. Second reading and public hearing of proposed ordinance opting out of the early voting time and location provisions provided by state law, specifically, Sections 101.657(1)(a)-(1)(d), Florida Statutes and in lieu thereof, providing early voting at JFK Library for the Primary Election, and in particular, on Monday, October 28, 2019, from 11:00 a.m. to 7:00 p.m., on Tuesday, October 29, 2019, from 7:00 a.m. to 3:00 p.m., on Wednesday, October 30, 2019, from 11:00 a.m. to 7:00 p.m.; on Thursday, October 31, 2019, from 7:00 a.m. to 3:00 p.m.; Friday, November 1, 2019, from 11:00 a.m. to 7:00 p.m., on Saturday, November 2, 2019, from 9:00 a.m. to 4:00 p.m., and on Sunday, November 3, 2019, from 9:00 a.m. to 4:00 p.m.; and providing early voting at JFK Library for the General Election, if a General Election is held, and in particular, on Friday, November 15, 2019, from 11:00 a.m. to 7:00 p.m., on Saturday, November 16, 2019, from 9:00 a.m. to 4:00 p.m. and on Sunday, November 17, 2019, from 9:00 a.m. to 4:00 p.m.; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF THE CITY CLERK)

APPROVED 7-0
ORDINANCE NO. 2018-152

Item was approved on first reading by the City Council on November 27, 2018.

REPORT: Michael Hordin, 6361 East 6th Avenue, spoke in opposition to the approval of the hours as proposed.

REPORT: Motion to Approve Item 4N, made by Councilman Caragol and seconded by Councilman Zogby. Motion passed 7-0.

5. BOARD APPOINTMENTS

- 5A.** Proposed resolution reappointing Michael Rosengaus to the Board of Trustees of the Employees General Retirement System as the Fraternal Order of Police appointment for a two (2)-year term ending on December 31, 2020.

APPROVED 7-0

RESOLUTION NO. 2018-135

REPORT: Motion to Approve Item 5A as amended, made by Councilman Hernandez and seconded by Councilman Caragol. Motion passed 7-0.

- 5B.** Proposed resolution reappointing Minying Ho to the Board of Trustees of the Employees' General Retirement System of the City of Hialeah as the American Federation of State, County and Municipal Employees ("AFSCME") appointment for a two (2)-year term ending on December 31, 2020. (AFSCME)

APPROVED 7-0

RESOLUTION NO. 2018-136

REPORT: Motion to Approve Item 5B, made by Councilman Caragol and seconded by Councilman Hernandez. Motion passed 7-0.

- 5C.** Re-appointment by Councilwoman Cue-Fuente of Katherine Rey to the Cultural Affairs Council for a two year term commencing on November 16, 2017 and ending on November 16, 2019. (COUNCILWOMAN CUE-FUENTE) **SO NOTED**

6. UNFINISHED BUSINESS

- 6A.** Report to the City Council from the Affordable Housing Advisory Committee providing a review of existing Affordable Housing Incentive Strategies and recommendation of new Affordable Housing Incentive Strategies that will be implemented in the new Local Housing Assistance Plan. (DEPT. OF GRANTS & HUMAN SERVICES)

REPORT: Leonard Grandio, Department of Grants and Human Services, addressed the City Council.

REPORT: Councilman Hernandez proposed to issue mandatory vehicle covers for recreational vehicles throughout the City.

7. NEW BUSINESS

NONE

8. COMMENTS AND QUESTIONS

- **Juan Santana, 5601 West 10th Avenue, addressed the City Council.**
- **Council Vice President Garcia-Martinez, expressed concerns with recreational vehicles throughout the City.**
- **Mayor Hernandez congratulated Council Vice President Garcia-Martinez and wished everyone Happy Holidays.**

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

REPORT: All were duly sworn in.

- a. Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance rezoning property from P (Parking) to B-1 (Highly Restricted Retail) and granting a variance permit to allow 13 parking spaces, where 23 parking spaces are required, contra to §98-2189(7) Hialeah Code of Ordinances. **Property located at 402 East 41 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0
ORDINANCE NO. 2018-153

<i>Item was approved by the Planning and Zoning Board on November 14, 2018.</i>
<i>Planner's Recommendation: Approval subject to amended Declaration of Restrictions and Unity of Title.</i>
<i>Owner of the Property: Barbara Liquor, LLC, 400 East 41 Street, Hialeah, Florida 33013.</i>
<i>Registered Lobbyist: Orestes Lopez Recio, 5895 SW 32 Street, Miami, Florida 33155.</i>
<i>Item was approved on first reading by the City Council on November 27, 2018.</i>

REPORT: Motion to Approve Item PZ1, made by Councilman Caragol and seconded by Councilman Hernandez. Motion passed 6-0-1 with Council Vice President Garcia-Martinez not present during the roll call.

REPORT: Councilwoman Garcia-Martinez recorded her vote for this item as "Yes" after the item was approved.

PZ 2. Second reading and public hearing of proposed ordinance rezoning from R-1 (One Family District) to R-2 (One and Two Family Residential District); and granting a variance permit to allow the replatting of the property into two substandard lots to allow the construction of a duplex on each lot with an approximate frontage of 43.75 feet and an area of 5,753 square feet, where 75 feet is the minimum frontage allowed and 7,500 square feet is the minimum area allowed; allow no interior east side setback, where 7.5 feet are required for the corner lot; and allow no interior west side setback, where 7.5 feet are required for the eastern most lot. All contra to Hialeah Code of Ordinances §§ 98-544 and 98-546. **Property located at 801 East 28 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0
ORDINANCE NO. 2018-154

<i>Item was approved by the Planning and Zoning Board on November 14, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Orlando Cordoves, 1553 San Ignacio Avenue, Coral Gables, FL 33146.</i>
<i>Item was approved on first reading by the City Council on November 27, 2018.</i>

REPORT: Motion to Approve Item PZ2, made by Councilman Caragol and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

PZ 3. Second reading and public hearing of proposed ordinance granting a special use permit (SUP) to allow the expansion of the Neighborhood Business District regulations pursuant to Hialeah Code of Ordinances § 98-1630.8; granting a variance permit to allow 140 parking spaces, where 217 parking spaces are required; allow a 10.5% pervious area, where 30% is required; allow all units to have 605 square feet, where 850 square feet is the minimum required; allow surface parking on front and side setbacks, where parking is not allowed; allow a building frontage of 37%, where 100% is required; and allow a partial waiver of landscaping requirements to allow for 30 trees, where 47 trees are required. All contra to Hialeah Code of Ordinances §§ 98-2189(16)a., 98-2056(b)(1), 98-1630.2, 98-2189(16)(a), 98-1603.3(d) and 98-1603.3(e)(4) and the latest edition of the Hialeah Landscape Manual dated July 9, 2015, Paragraph (E) Table A. Property zoned M-1 (Industrial District). **Property located at 640 West 18 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0
ORDINANCE NO. 2018-155

<i>Item was approved by the Planning and Zoning Board on November 14, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Delta Laboratories, Inc., P.O Box 2288, Ocala, Florida 32678.</i>
<i>Registered Lobbyist: Anthony Escarra, Esq., 16400 NW 59th Avenue, 2nd Floor, Miami Lakes, Florida 33014.</i>
<i>Item was approved on first reading by the City Council on November 27, 2018.</i>

REPORT: Motion to Approve Item PZ3, made by Councilman Caragol and seconded by Councilwoman Cue-Fuente. Motion passed 7-0.

PZ 4. First reading of proposed ordinance rezoning property from GU (Interim District Miami-Dade County Zoning Designation) to MH (Industrial District). **Property consisting of 336 acres, more or less, lying North of N.W. 142 Street, and bounded on the north by N.W. 54 Street, on the East by N.W. 97 Avenue, and on the west by N.W. 107 Avenue, identified by folio numbers 04-2020-002-0010 and 04-2020-002-0021, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

<i>Item was approved by the Planning and Zoning Board on November 28, 2018.</i>

<i>Planner's Recommendation: Approval.</i>
<i>Owners of the Property: F03-4 LLC., P.O Box 22577, Hialeah, Florida 33002. F99 5, LLC, P.O Box 22577, Hialeah, Florida 33002.</i>
<i>Registered Lobbyists: Melissa Tapanes Llahues, 200 South Biscayne Boulevard, Suite 850, Miami, Florida 33131. Maritza Haro Salgado, 200 South Biscayne Boulevard, Suite 850, Miami, Florida 33131.</i>

REPORT: Motion to Approve Item PZ4, made by Council Vice President Garcia-Martinez and seconded by Councilman Hernandez. Motion passed 7-0. Second reading and public hearing is scheduled for January 8, 2019.

- PZ 5.** First reading of proposed ordinance rezoning property from C-1 (Restricted Retail Commerical District) to TOD (Transit Oriented Development District); and granting a variance permit to allow 10 stories, where 8 stories is the maximum allowed contra to Hialeah Code of Ordinances §§ 98-1544(c)(2) and 98-1544(d). **Property located at 955 East 25 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

<i>Item was approved by the Planning and Zoning Board on November 28, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Hialeah Evocative, LLC., 1474 A West 84th Street, Hialeah, Florida 33014. Michael L. Osman, 1474 A, West 84th Street, Hialeah, Florida 33014.</i>

REPORT: Motion to Approve Item PZ5, made by Councilman Caragol and seconded by Council Vice President Garcia-Martinez. Motion passed 7-0. Second reading and public hearing is scheduled for January 8, 2019.

LANDUSE

- LU 1.** Second reading and public hearing of proposed ordinance amending the Future Land Use Map from Transit Oriented Development District (TOD) to Industrial District. **Property located at 725 SE 9 Court, Hialeah, Florida.** Zoned M-1 (Industrial District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0
ORDINANCE NO. 2018-155

<i>Resolution was approved by the City Council in the transmittal stage on August 28, 2018, Resolution No. 2018-086.</i>
<i>Item was approved on first reading by the City Council on November 27, 2018.</i>

REPORT: Motion to Approve Item LU 1, made by Councilman Caragol and seconded by Councilman Hernandez. Motion passed 7-0.

- LU 2.** First reading of proposed ordinance amending the Future Land Use Map from Residential Office to Commercial. **Property located at 385 West 49 Street, Hialeah, Florida**, zoned RO (Residential Office); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 6-1

<i>Item was approved with conditions by the Planning and Zoning Board on November 28, 2018.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Registered Lobbyist: Felix Lasarte, 3250 NE 1 Avenue, Suite 334, Miami, Florida.</i>

REPORT: Motion to Approve Item LU2, made by Councilman Caragol and seconded by Councilwoman Cue-Fuente. Motion passed 6-1 with Councilwoman Lozano voting "No". Second reading and public hearing is scheduled for January 8, 2019.

- LU 3.** First reading of proposed ordinance amending the Future Land Use Map from Medium Density Residential to High Density Residential. **Property located at 1200, 1205, 1265, 1280 West 25 Place, Hialeah, Florida**, zoned R-3 (Multiple-Family District); repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

APPROVED 7-0

<i>Item was approved by the Planning and Zoning Board on November 28, 2018.</i>
<i>Planner's Recommendation: Approve as recommended.</i>
<i>Owner of the Property: Oceanmar Park Apartments LLC., 16400 NW 59th Avenue, Miami Lakes, Florida.</i>
<i>Registered Lobbyist: Anthony Escarra, Esq., 16400 NW 59th Avenue, Miami Lakes, Florida.</i>

REPORT: Motion to Approve Item LU3, made by Council Vice President Garcia-Martinez and seconded by Councilman Caragol. Motion passed 7-0. Second reading and public hearing is scheduled for January 8, 2019.

REPORT: Meeting was adjourned at 8:49 p.m. by Council President Casáls-Muñoz.

NEXT CITY COUNCIL MEETING: Tuesday, January 8, 2019 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, February 26, 2019 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).